

BEMIDJI CITY COUNCIL AGENDA

Monday, August 19, 2013

Council Chambers
City Hall – 317 4th Street NW
7:00 P.M.



➤ ROLL CALL

➤ PLEDGE OF ALLEGIANCE TO THE FLAG

➤ AMENDMENTS TO AGENDA

I. MINUTES

- 1) Joint Sp Meeting: July 17, 2013
- Regular Council: August 5, 2013
- Special BEDA: August 5, 2013
- Work Session: August 12, 2013

II. CONSENT AGENDA

Items in the Consent Agenda are approved with one motion without discussion/debate. The Mayor will ask if any Council member wishes to remove an item. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.

- 2) Claims Submitted by Finance Officer in the amount of **\$373,227.05**
- 3) Claims Submitted by VenuWorks for the Sanford Center in the amount of **\$63,157.89**
- 4) 1-4 Day Temporary On-Sale Liquor License – BSU Foundation – August 6, 2013
- 5) Approve Transfer of Liquor License – Tbart Enterprises, Inc. dba Hot Toddy's (119 3rd Street NW)
- 6) Memorandum of Understanding between the City of Bemidji and the International Union of Operating Engineers, Local 49 AFL-CIO
- 7) Travel Authorization to attend the Mn 33rd Annual Statewide Historic Preservation Conference, Sept. 12-13, in Lanesboro, MN – Mayor Albrecht

III. CITIZENS WITH BUSINESS BEFORE THIS COUNCIL – NOT ON AGENDA

Public Comment – Please give your name, address and state your concern/comment. Visitors may share their concerns with City Council on any issue, which is not already on the agenda. Each person will have **3 minutes** to speak. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. The Mayor may also limit the number of individual presentations on any issue to accommodate the scheduled agenda items. All comments will be taken under advisement by the Council. **PLEASE BE ADVISED THAT THE COUNCIL WILL TAKE NO ACTION AT THIS TIME.**

IV. REPORT(S)

- Bemidji Youth Advisory Commission
- Save the Carnegie Library Committee Update – Lew Crenshaw, Chair

Bemidji—Regional Center Amenities with Small Town Character

V. NEW BUSINESS

- 7) Consider Awarding Energy Savings Program Contract to Honeywell

VI. UPCOMING COUNCIL MEETINGS

- Tuesday, August 20 5:30 p.m. Joint Meeting with Beltrami County Commissioners
- Tuesday, Sept. 3 7:00 p.m. Council Meeting
- Monday, Sept. 9 5:30 p.m. Work Session – Greater Bemidji Update & Discussion
Boundary of Rail Corridor & Creation of a Task Force

VII. MAYOR AND COUNCIL REPORTS

- Please limit your committee reports to 4 minutes

VIII. ADJOURN

CITY COUNCIL PROCEEDINGS
BEMIDJI, MINNESOTA
Joint Special Meeting – July 17, 2013

Pursuant to due call and notice, a joint special meeting of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Wednesday, July 17, 2013, at 6:30 p.m. at Northern Town Hall, Northern Chair Kelly and Mayor Albrecht presiding.

Upon roll call, the following Councilmembers were declared present: Albrecht, Meehlhause, Johnson, Erickson Absent: Hellquist, Thompson

Northern Township Board Present: Mike Kelly, Tim Mountain, Clark Chambers
Staff: Town Clerk Mary Israelson, Legal Counsel Jason Kuboushek

Bemidji Township Board Present: Pete Frederickson, Brian Merschman (Arrived at 7 p.m.);
Legal Counsel John Steffenhagen

Staff Present: City Manager John Chattin, City Attorney Alan Felix, City Clerk Kay Murphy
Legal Counsel Jim Thomson

Northern Board Chair Kelly stated that the Northern Town Board invited the governing bodies of the City of Bemidji and Bemidji Township to participate in a "frank" discussion of issues relating to the Orderly Annexation Agreement (OAA) and the Joint Powers Agreement establishing the Greater Bemidji Joint Planning Board (JPB) in relationship to the settlement agreement reached between the City and Bemidji Township in the lawsuit commenced by Bemidji Township against the City. He commented that over a year ago the LGUs met several times and then asked the City to work with them regarding boundary changes. He stated that while Northern was interested in boundary changes, Bemidji Township did not. Kelly stated that Northern Township Board has financial concerns and the direct impact on the residents in their township if Bemidji Township withdraws from the OAA and JPB.

John Steffenhagen, legal counsel for Bemidji Township, noted that Bemidji Township was unable to have a quorum at the meeting.

Mountain commented that Bemidji Township was on board when the Joint Planning Board was developed which took a considerable amount of time and dollars and asked Bemidji Township representatives what happened?

Steffenhagen stated that Bemidji Township believes that the Orderly Annexation Agreement had not been complied with as there were "multiple" provisions that were breached. In particular, no services were provided upon annexation of Phase I. He further commented that Bemidji Township made a conscious effort not to include Northern Township in the lawsuit. He stated that the full complaint is available at the Court and that he will provide a copy to Northern's legal counsel for their review.

Mountain stated that at the time the OAA was created, it was the understanding that people would have to petition for water and/or sewer services. Steffenhagen disagreed with Mountain.

Chambers commented that Northern Township did not see the lawsuit coming or the withdrawal of Bemidji Township from the JPB.

Steffenhagen stated that Bemidji Township made the choice not to involve Northern. This was not to keep Northern Township in the dark.

Mayor Albrecht stated that the City does not agree that Bemidji Township's claims regarding the OAA are valid and does not acknowledge any wrongdoing.

Chair Kelly asked Bemidji Township if there was any "wobble-room" to continue with the Joint Planning Board. The City has been cooperative in trying to re-do boundaries. Kelly observed that if the JPB dissolves, it will result in a higher cost to the residents of Northern Township. Kelly stated that regional planning is very important for the region and asked if there was a way that Bemidji Township could continue with the JPB.

Steffenhagen stated that at some point the lawsuit will be done and the three communities will still be neighbors.

Frederickson stated that in the future there is a possibility that Bemidji Township may be interested in joint planning but not today. Discussion continued regarding the effect of Bemidji Township withdrawing from the JPB and JPC.

Merschman commented that during the mediation process, it was the City that offered the Township the ability to withdraw from the JPB.

Johnson responded that the first mediation was not authorized by the full City Council.

Steffenhagen stated that the Phase I residents want to know when they will be able to detach. He stated that Bemidji Township would prefer to have the decision from Northern tonight as they need to inform Judge Melbye of the results on July 24.

Kelly stated that the Northern Township Board is not in the position to make a decision regarding the mediated agreement at tonight's meeting. He stated that they would like the full board to be present and that will not happen until August and they would like to hear input from their residents. He also stated that no documents had yet been presented to the town board for its consideration with respect to any action that the town board needs to take in this matter.

Johnson stated that he had a tremendous amount of respect for Northern Township. He commented that prior to the OAA, the City annexed piecemeal and was growing as cities do. The two townships initiated the discussion with the City regarding the annexation agreement. He further stated at the time of developing the OAA, that like the Pilgrims, the "ships were burnt" as they moved forward. Johnson stated the board and staff change and they may change again in the future.

Mountain commented that the OAA that was put together was good for the community. However, he is not going to "force" someone to stay in a "marriage" that they don't want.

Steffenhagen stated that regardless of how the mediation unfolded the mediation settlement agreement makes sense. He stated that it is Bemidji Township's intent to take immediate steps to implement the mediated agreement.

Kelly asked why the City didn't allow the lawsuit to go through the court process.

The City's legal counsel Jim Thomson responded that lawsuits get settled for a number of reasons.

Mayor Albrecht stated that there is a value in planning for the City as well as the townships. She said the City has much to be proud of and provides many amenities to City and surrounding township residents. She further stated to suggest that the Council has done something to be ashamed of is wrong and it is disappointing that Bemidji Township did not come to the table prior to a lawsuit.

ADJOURN

There being no further business, motion by Olson, seconded by Meehlhause, to adjourn the meeting. Motion carried. Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Kay M. Murphy
City Clerk

CITY COUNCIL PROCEEDINGS
BEMIDJI, MINNESOTA
Regular Meeting – August 5, 2013

Pursuant to due call and notice, a regular meeting of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, August 5, 2013 at 7:00 p.m. in the Council Chambers of City Hall, Mayor Albrecht presiding.

Upon roll call, the following Councilmembers were declared present: Albrecht, Meehlhause, Johnson, Hellquist, Olson, Erickson, Thompson

Staff Present: City Manager John Chatten, City Attorney Alan Felix, Public Works Director/City Engineer Craig Gray, Finance Director Ron Eischens, Parks & Recreation Director Marcia Larson, City Clerk Kay Murphy

AMENDMENTS TO AGENDA

Mayor Albrecht called for any amendments to the agenda. Councilor Erickson requested the addition of the following: discussion on an article in the Pioneer regarding detachment and Bemidji Township. **Motion by Meehlhause, seconded by Johnson, to approve the agenda as amended. Motion carried by unanimous vote.**

MINUTES

The following minutes were presented for approval:

Council Meeting	July 15, 2013
BEDA Meeting	July 15, 2013
Sp Work Session	July 22, 2013
Sp Work Session	July 29, 2013

Motion by Hellquist, seconded by Meehlhause, to approve the minutes as prepared. Motion carried by unanimous vote.

CONSENT AGENDA

Consent Agenda items were presented for approval. Mayor Albrecht requested the addition of the following: 1) Letter of Support for the 2013 USDA RUS DLT application; and 2) Approval for Participation in partnership with MnDOT. Councilor Olson requested the removal of the Fall Protection System for further discussion.

Motion by Hellquist, seconded by Johnson, to approve the Consent Agenda items as amended:

1. Claims submitted by the Finance Officer in the total amount of \$1,011,961.74
2. Claims submitted by Venuworks for the Sanford Center in the total amount of \$35,034.48
3. Miscellaneous Business License Renewals for 2013
4. Awarded the Bid for Demolition of Building(s) located at 1018 America Ave NW to Gary Skime in the amount of \$7,777
5. Waived Various City Permit Fees totaling \$1,334 for Habitat for Humanity - 714 12th Street NW
6. Adopted Changes to the City's Personnel Policies

7. Approved Letter of Support of the 2013 Bemidji State University, Northwest Technical College and Tribal Collaborative RUS DLT Application
8. Approved Mayor Albrecht's participation to join a Transportation Stakeholder Group (Partnership with MnDOT and Smart Growth America)

Motion carried by unanimous vote.

CITIZENS NOT ON AGENDA

No one appeared.

COMMITTEE REPORTS

Librarian's Report - Paul Ericsson, Branch Manager, reported that the library now offers e-magazines. The annual book sale is August 7 and 8. He stated that the Legacy Grant looks good for Bemidji and the community should see lots of great programs next year. He reviewed the staffing at the library which supports the need for an additional staff person.

NEW BUSINESS

Archeological Survey

Parks & Recreation Director Larson stated that a Request for Proposal for Archaeology Services – Phase I for Library and Paul Bunyan Parks was sent out. Of the four firms contacted, only one proposal was received. She stated that a Phase I archaeological study will need to be completed in order to develop the park as well as installation of the platform for the Chief Bemidji Statue and the Carnegie Library project. The 106 Group's proposal to conduct this service is estimated to not exceed \$28,820.

Motion by Olson, seconded by Meehlhause, authorizing the hiring of the 106 Group to provide Phase I Archaeological Services for the Paul Bunyan and Library Park Master Planning Park Development Project. Motion carried unanimously.

Discussion – Detachment/Bemidji Township

Councilor Erickson stated that she wanted to discuss a recent article that appeared in the Bemidji Pioneer regarding the detachment and the letter sent to Bemidji Township. She stated the Council received the map showing those parcels identified and was surprised that this document was released as she did not feel it was for "public consumption". She further stated that it was "insulting" to Northern Township who is a full partner and voted to not release Bemidji Township from the Orderly Annexation Agreement. She believed that the article would give the Judge the impression that the City is moving ahead to release Bemidji Township. She asked who sent the letter to the paper and if there are current discussions with Bemidji Township or negotiations about this issue?

Chattin responded that development and supplying of the detachment map to Bemidji Township was part of the requirements under the negotiated settlement. Chattin stated that all the actions taken by the City staff have been in consultation with Jim Thomson.

Felix stated that there was a court hearing held two days after the Northern Township vote and the Court continued the hearing for 30 days allowing Bemidji Township the opportunity to pursue other avenues, i.e., approaching Northern Township. He stated the City of Bemidji fulfilled its obligation under the mediated agreement in providing a map identifying what properties the City believed would not be eligible for detachment. He stated that the map is a public document. He stated that there have been no discussions going on with Bemidji

Township concerning detachment. He also stated that our attorney, Jim Thomson, was very clear at the hearing that the settlement agreement required Northern Township's approval.

Johnson stated that perhaps a meeting with Mr. Thomson was needed to make the Council's position clear. He further suggested that the Council have another vote on how they feel about the mediated agreement.

Mayor Albrecht commented that it would be ill-advised for the Council to have any kind of a vote at this time as the matter is in litigation.

Erickson stated that if Craig Gray had not produced the maps it would not have existed. She honestly does not know why this was made public.

Gray stated that the Pioneer article was poorly timed, as the list was sent to Bemidji Township before Northern Township's vote.

Felix reiterated that the matter is still pending and the mediated settlement is in essence still pending, the City of Bemidji fulfilled its obligation to identify those properties it believes, if in fact the mediated settlement moves forward, would not be eligible for detachment. Felix stated that Mr. Thomson told Judge Melbye at the court hearing that "the City does not believe that the mediated settlement can move forward without Northern Township".

Hellquist commented that he believed this to be a communication problem and the City did what it had to do as part of something that was dictated by the court before Northern Township voted no.

Fall Protection System – Sanford Center

Councilor Olson stated that he asked that this item be removed from the Consent Agenda for further discussion. In particular, he was interested in the amount in the contingency fund.

Chattin stated that this item was planned for when the Sanford Center was designed but Leo A Daly included it as a FF&E. However, it was not handled in a timely fashion by Venuworks. He indicated there is \$105,000 reserved for this item.

Eischens stated that there is \$151,000 remaining and undesignated in the contingency fund.

Motion by Johnson, seconded by Olson, to award the bid for a Horizontal Fall Protection System at the Sanford Center to Evan Fall Protection Inc., Jamestown, RI, in the amount of \$98,860. Motion passed unanimously.

UPCOMING COUNCIL MEETINGS

- Monday, August 12 5:30 p.m. Work Session – 2014 Budget; South Shore and Paul Bunyan Park Priorities
- Monday, August 19 7:00 p.m. Council Meeting
- Tuesday, August 20 5:30 p.m. Joint Meeting with Beltrami County Commissioners

COUNCIL/STAFF REPORT

- Council members provided updates on current events and meetings.

- Chatten stated that he is seeking another person to serve on the Design Review Committee for the South Shore. Typically, this person would be someone that is a developer that owns property and has completed construction in the south shore, but at this time there are none.

ADJOURN

There being no further business, motion by Meehlhause, seconded by Thompson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:23 p.m.

Respectfully submitted,

Kay M. Murphy
City Clerk

BEMIDJI ECONOMIC DEVELOPMENT AUTHORITY
Special Meeting Minutes
Monday, August 5, 2013

Pursuant to due call and notice, a special meeting of the Bemidji Economic Development Authority (BEDA) of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, August 5, at 8:24 p.m. in the Council Chambers of City Hall, President Albrecht presiding.

Upon roll call, the following Commissioners were declared present: Albrecht, Meehlhause, Johnson, Hellquist, Olson, Erickson, Thompson

City Staff: Executive Director John Chattin, City Attorney Alan Felix, Public Works Director Craig Gray, Secretary Kay Murphy

President Albrecht stated that the purpose of the Special BEDA meeting was to hold a public hearing on the proposed sale of property by the City to South Shore Landing LLC.

PUBLIC HEARING – Sale of Property

Pursuant to published notice, a Public Hearing was held to receive input regarding the proposed sale of property in the City of Bemidji located in Village of the South Shore to South Shore Landing LLC. President Albrecht opened the hearing at 8:25 p.m.

City Attorney, and BEDA Attorney, Al Felix, presented a brief summary of the proposed land sale. Felix concluded saying that the proposed findings include the Authority's determination that the sale is in the best interests of the community and furthers economic development generally. Discussion continued regarding the price of the sale. Staff noted that it was \$3/square foot.

Hearing no comments President Albrecht closed the public hearing at 8:32 p.m.

Motion by Commissioner Erickson seconded by Commissioner Thompson, approving the proposed Findings and Decision for the sale of Lot 1, Block 5 in the Plat of South Shore Addition, to South Shore Landing LLC. Motion carried unanimously.

ADJOURN

There being no further business, motion by Olson, seconded by Thompson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:32 p.m.

Respectfully submitted,

Kay M. Murphy
B.E.D.A. Secretary

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Work Session – August 12, 2013

Pursuant to due call and notice, a work session of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, August 12, 2013, at 5:30 p.m. in the Conference Room of City Hall, Mayor Albrecht presiding.

Upon roll call, the following Councilmembers were declared present: Albrecht, Meehlhause, Hellquist, Johnson, Erickson, Thompson Absent: Olson

Staff Present: City Manager John Chattin, City Attorney Alan Felix, Finance Director Ron Eischens, Parks & Recreation Director Marcia Larson, Public Works Director/City Engineer Craig Gray, City Clerk Kay Murphy

Mayor Albrecht stated that the purpose of the work session was to review the 2014 budget and South Beach and Library/Paul Bunyan Park priorities.

2014 Budget

Eischens stated that since the June 10 work session the Police Department has received confirmation that the City will receive \$100,000 (\$50,000 each year) over the next two years to fund an auto theft police officer position. This increases the 2014 budget surplus from \$36,204 to \$86,204. City staff recommended the Council consider the following items be added to the 2014 budget:

- \$24,000 for additional library staff person, contingent on County support.
- \$20,000 for possible Joint Planning Office contribution increase.
- \$10,000 increase for legal consulting, if required, for services associated with City/BEDA land sales or southeast shore development issues.
- \$15,000 increase for Neilson-Reise Arena maintenance – Eischens noted that the arena's ice plant and building are over 40 years old. Increased maintenance is required to keep the facility functioning properly.
- \$6,000 for increased assessing and technology costs from Beltrami County.

Eischens noted with there is a surplus after the items listed of \$11,204.

Thompson suggested designating \$10,000 to the Friends of Lake Bemidji, who came before the Council requesting funds to ramp up inspections at boat accesses to battle aquatic invasive species.

Mayor Albrecht responded that this was not a decision the Council needed to make now.

Meehlhause commented that he had received an email regarding alleys in Bemidji needing maintenance and would like the City to consider focusing on improvements to alleys.

Gray stated that he will be doing an alley in Nymore this year using a combination of funds. In the future, he plans to pave or redo one alley per year at a cost of \$30,000 to \$35,000.

Erickson commented that she believed that the policy for improvements to alleys was through petition. Gray stated that he takes a different view of funding alleys and believed it should be funded by the overall tax base. He further commented that he will prioritize the City's alleys similar to how he does streets.

Johnson stated that the elected officials and CGMC fought hard to get LGA increased and had concerns that the budget was not showing any tax relief.

Albrecht responded that it is quite possible that the tax base has broadened and will show a decrease.

Eischens stated that at the June budget work session Councilor Olson raised the issue of pursuing a sales tax in lieu of the hospitality tax as a way of funding Sanford Center operations.

Chattin stated that there is currently no sales tax that supports operations. Consensus of the Council was they were not in favor of an increase in the City sales tax.

Eischens stated that the preliminary tax levy will be on the Council's September 3 agenda.

Park Priorities

Parks & Recreation Director Larson stated that the Parks & Trails Commission met on August 6 and prioritized amenities and a development plan for South Shore Park and Paul Bunyan Park.

Larson stated that the cost estimate for the redevelopment of Paul Bunyan and Library Parks ranges from \$2.9 to \$3.4 million. The Parks & Trails Commission and Council have designated \$744,726 for the redevelopment of these parks. After the design and survey there is approximately \$721,000 remaining in the sales tax available for final design and redevelopment. In addition, the State Legislature has allocated \$750,000 of Legacy Funds for these parks. The Parks & Trails Commission identified the following priorities based on funding available (\$1.4 million):

- Family/Group gathering area
- Third Street dock plaza
- Main Visitor Center Improvements (includes removal of 3rd Street exit)
- Chief Bemidji platform
- Parking lot
- Asphalt trail
- Irrigation (festival area)
- Turf restoration (festival area)
- Dock pads and trail connections to the dock pads

Larson stated that many other improvements have been left out and it is less than half of the original estimate for redevelopment of that area. She stated that the Commission chose what they believed were essential, visible improvements while doing some maintenance.

Don Heinonen, Parks & Trails Commission member, stated that Paul Bunyan Park is home to one of the most recognizable roadside attractions in Minnesota, if not the country, and the

Commission believes it is prudent to redevelop it. He further commented that there is not much for people to do once they come and take their picture and the City really needs to put some money into this park.

Motion by Meehlhause, seconded by Johnson, to allocate the remaining sales tax funds and 2015 Legacy Funds to Paul Bunyan and Library Parks and approve the park priorities as identified by the Parks & Trails Commission. Motion carried unanimously.

South Shore Park/Beach

Larson stated the Parks & Trails Commission reviewed the Master Plan for South Shore and eliminated many of the amenities. They recommended the following be included at an estimated cost of \$726,000 to \$834,000:

- Drop-off area connected to Lake Shore Drive;
- Walkways connected to parking lot and outlining the beach area;
- Paved access to the building;
- Beach;
- Small shade structure; and
- Restoration of the building to house restrooms.

She stated that the Parks & Trails Commission also recommended that a playground, shelter and splashpad be included for the park as a second phase.

Gray stated that the cost of the lake cleanup should include an additional 200 ft. to the west to keep debris from floating in. He estimated that the total cost of the lake cleanup would be \$1.5 million. He stated that staff is working on getting permits for a 2014 fall project.

Hellquist stated that the City could spend all the money cleaning up the lake and the following year the debris may be back in. He suggested one way to possibly prevent this was by building a breakwater.

Larson stated that in visiting with DNR Waters & Trails, they did not seem enthusiastic about extending the breakwater. The current plan is for a 30 foot breakwater.

A motion by Councilor Thompson to have the beach cleaned up in 2014 died for lack of a second.

Council discussion continued regarding the half cent sales tax and bringing a bonding referendum to the voters. Mayor Albrecht stated she would like feedback from the community and suggested open houses and a survey.

Gray stated that in order to do the project in the fall of 2014, a bonding referendum would have to take place before May 2014.

Meehlhause suggested that staff provide information on what the the full project would cost.

Erickson commented that she was not in favor of the full gamut but just the basics that would be replacing Nymore Beach.

Council directed staff to prepare options for a south shore beach and park from the basic amenities to the full gamut. In addition, provide the cost, bonding, levy impact and other impacts.

Pending Litigation with Bemidji Township

Motion by Meehlhause, seconded by Johnson, to close the meeting in accordance with Minnesota Statute Section 13D.05, Subd. 3(b) for the purpose of discussing with legal counsel threatened or pending litigation with Bemidji Township. Motion passed unanimously. Public hearing closed at 7:00 p.m.

Staff Present: Chattin, Felix, Gray, Eischens, Murphy
Legal Counsel: James Thomson, Kennedy & Graven (via phone)

Motion by Meehlhause, seconded by Hellquist, to reopen the meeting at 7:40 p.m. Motion carried unanimously.

ADJOURN

There being no further business, motion by Meehlhause, seconded by Thompson, to adjourn the meeting. Motion carried. Meeting adjourned at 7:40 p.m.

Respectfully submitted,

Kay M. Murphy
City Clerk

Bill List Summary

August 19, 2013

<u>Check /Wire</u>	<u>Vendor</u>	<u>Amount</u>	
11810-11892	See Attached List	<u>373,227.05</u>	
		373,227.05	
	TOTAL		\$373,227.05

Accounts Payable

Blanket Voucher Approval Document

User: moniac
Printed: 08/09/2013 - 9:34AM
Warrant Request Date: 08/20/2013
DAC Fund:



COUNCIL BILL LIST

Line	Claimant	Voucher No.	Amount
1	Ameripride	000000000	349.51
2	Baumgartner, Don	000000000	38.42
3	Beltrami County Auditor/Treasurer	000011810	53,865.54
4	Beltrami County Highway Dept.	000011811	57.99
5	Beltrami County Solid Waste	000011812	1,624.24
6	Beltrami Industrial Service, Inc.	000011813	122.91
7	Bemidji Bituminous Inc	000011814	1,049.09
8	Bemidji Coca-Cola Bottling Co, Inc	000011815	784.40
9	Bemidji Paper Sales, Inc.	000000000	763.89
10	Bemidji Welders Supply, Inc.	000011816	35.10
11	Bernick's	000000000	23,594.26
12	Bessler Brother's Electric, LLC	000000000	27,411.50
13	Big North Distr. Co, Inc.	000011817	25,357.91
14	Bluefin Payment Systems	000000000	836.91
15	Bobcat of Bemidji	000000000	743.26
16	Books N More	000011818	23.00
17	Buy Line	000011819	64.00
18	BW Distributing	000011820	165.65
19	Carquest Auto Parts-Bemidji	000011821	43.96
20	Chosen Valley Testing	000011822	625.50
21	City of Bemidji	000000000	4,537.94
22	Crazy About Cleaning	000000000	582.47
23	Dakota Supply Group	000011823	364.72
24	Dick's Plumbing & Heating, Inc	000011824	507.17
25	DPC Industries, Inc.	000011825	5,103.52
26	Drahos Kieson & Christopher, P.A.	000011826	1,400.00
27	Element Payment Services, Inc.	000000000	43.24
28	Envirotech Services, Inc.	000011827	3,779.68
29	Ferguson Enterprises #3093	000011828	279.43
30	Flaherty & Hood, P. A.	000011829	5,000.00
31	FleetPride, Inc.	000011830	126.37
32	Flint Trading ,Inc.	000011831	4,138.67
33	Frontier Electric of Bemidji, Inc.	000011832	145.30
34	G & K Services Inc	000011833	89.56
35	Generator Power Systems	000011834	23,273.50
36	Gopher State One-Call	000000000	340.65
37	Grand Forks Fire Equipment LLC	000000000	613.30
38	Graphic FX	000011835	115.36
39	Guardian Pest Control, Inc	000011836	84.37
40	Hartfiel Automation, Inc	000011837	306.29
41	Hawkins, Inc.	000000000	5,012.11
42	HD Waterworks Supply	000011838	1,396.97
43	Ink Spot Press	000011839	202.05
44	Jack's Stop, Inc	000011840	181.69
45	Jim Hirt Trucking, Inc	000011841	3,191.18

Page Total: \$198,372.58

Line	Claimant	Voucher No.	Amount
46	JOBSHQ	000011842	586.00
47	Johnson Bros., Inc.	000011843	19,827.42
48	Karvako Engineering	000000000	1,487.93
49	KKWB-FM Bemidji Radio, Inc.	000011844	200.00
50	Knife River Materials	000011845	267.13
51	Lakes Auto Body Specialists	000011846	58.35
52	Lakes Concrete Plus Inc.	000011847	70.54
53	Landmark Environmental, LLC	000011848	23,997.13
54	Lawson Products, Inc.	000011849	210.98
55	League of MN Cities	000011850	40.00
56	Leech Lake Brewing Company	000000000	358.95
57	Luekens Village Foods South	000011851	7.70
58	Magnuson, John	000011852	516.87
59	McKinnon Co., Inc.	000011853	15,248.70
60	Menards-Bemidji	000000000	175.83
61	MN Dept of Commerce	000011854	175.42
62	MN Valley Testing Lab, Inc.	000000000	10.25
63	Naylor Heating & Refrigeration, LLC	000000000	2,498.19
64	NCL of Wisconsin, Inc	000000000	239.28
65	Nei Bottling, Inc.	000011855	642.70
66	Nelson Auto Center	000000000	20,397.84
67	Neopost USA , Inc	000011856	88.39
68	North Country Business Product	000000000	452.82
69	Northwoods Ice, Inc.	000011857	2,683.95
70	Northwoods Landscape & Rec. Inc.	000011858	470.26
71	NW Tire, Incorporated	000011859	29.32
72	Osmundson Towing	000011860	99.53
73	Ostman, Deb	000011861	163.89
74	Paskvan Real Estate LLLP	000011862	1,700.00
75	Phillips Wine & Spirits	000011863	13,221.09
76	Pinoniemi, Mark	000000000	150.00
77	Pioneer	000011864	3,355.79
78	Port-Able John Rental & Service, Inc.	000000000	555.74
79	Port-O-Wild Security, Inc.	000000000	470.25
80	Portable Welding	000011865	844.00
81	Postmaster	000011866	1,678.31
82	PowerPlan OIB	000011867	8.12
83	Praxair Distribution Inc	000011868	28.59
84	R & R Specialties, Inc	000011869	461.32
85	Red Power Diesel Service, Inc.	000011870	1,324.60
86	Richards Publishing Company	000011871	138.81
87	Road Runner Delivery	000011872	50.00
88	Roger's Two Way Radio, Inc.	000011873	439.26
89	Rohlfing of Brainerd, Inc.	000000000	347.75
90	Sadeks Repair & Welding, Inc.	000011874	410.33
91	Sanford Center	000011875	347.34
92	Scotts Radiator Repair	000011876	134.10
93	Skime Fencing	000011877	229.78
94	Southern Wine & Spirits of Minnesota	000011878	9,305.88
95	Southside Tow & Rec, Inc	000011879	1,153.72
96	Springbrook Software, Inc.	000000000	526.00
97	Stoll, Timothy M.	000011880	250.00
98	Streicher's	000011881	741.47
99	T & K Outdoors, Inc.	000011882	3,978.19
100	The Tessman Company	000011883	607.63
101	Thunderbird Trophies	000011884	54.76
102	Tires Plus of Bemidji	000011885	322.66

Page Total: \$133,840.86

Line	Claimant	Voucher No.	Amount
103	UPS Store	000011886	39.82
104	US Bank Merchant Billing	000000000	6,722.44
105	Waste Management of WI-MN	000011887	1,911.89
106	Wells Fargo Bank	000011888	400.00
107	Wells Fargo-ACH	000000000	20,378.27
108	Wes Plumbing & Heating	000011889	1,080.00
109	Wine Merchants	000011890	153.68
110	Wirtz Beverage Minnesota Wine & Spirits, Inc	000011891	10,198.02
111	Zee	000000000	78.44
112	Ziegler, Inc.	000011892	51.05
			Page Total:
			\$41,013.61
			Grand Total:
			\$373,227.05

VenuWorks of Bemidji, LLC
Unpaid Bills Detail
As of August 9, 2013

	<u>Open Balance</u>
ACE on the Lake	
	251.57
Total ACE on the Lake	<u>251.57</u>
Aflac	
	223.32
Total Aflac	<u>223.32</u>
AmeriPride Services	
	259.85
	236.23
Total AmeriPride Services	<u>496.08</u>
Bemidji Area Chamber of Commerce	
	16.00
	20.00
Total Bemidji Area Chamber of Commerce	<u>36.00</u>
Bemidji Coca-Cola Company	
	68.40
Total Bemidji Coca-Cola Company	<u>68.40</u>
Bemidji Cooperative Association	
	35.49
Total Bemidji Cooperative Association	<u>35.49</u>
Bemidji Paper	
	66.80
Total Bemidji Paper	<u>66.80</u>
Bemidji Sunrise Rotary	
	39.00
Total Bemidji Sunrise Rotary	<u>39.00</u>
Bemidji Welders Supply, Inc.	
	152.69
	125.90
	80.38
	125.90
	254.49
	125.90
	200.91
	292.07

VenuWorks of Bemidji, LLC
Unpaid Bills Detail
As of August 9, 2013

	<u>Open Balance</u>
	125.90
	<u>125.90</u>
Total Bemidji Welders Supply, Inc.	1,610.04
Cable One Advertising	
	501.50
Total Cable One Advertising	<u>501.50</u>
Charter Media	
	316.20
	73.95
	170.85
	<u>399.50</u>
Total Charter Media	960.50
City of Bemidji MN	
	950.40
	<u>422.50</u>
Total City of Bemidji MN	1,372.90
Cyrus Pansch	
	114.34
Total Cyrus Pansch	<u>114.34</u>
Dakota Supply Group	
	-11.42
	32.40
	51.53
	<u>28.31</u>
Total Dakota Supply Group	100.82
Dennis Noska	
	200.00
Total Dennis Noska	<u>200.00</u>
Design Angler	
	850.00
Total Design Angler	<u>850.00</u>
DFC's Cutting Edge	
	35.00
Total DFC's Cutting Edge	<u>35.00</u>

VenuWorks of Bemidji, LLC
Unpaid Bills Detail
As of August 9, 2013

	<u>Open Balance</u>
Dippin' Dots/Tom Kennedy	
	170.93
	154.65
	<u>296.53</u>
Total Dippin' Dots/Tom Kennedy	622.11
Fremont Industries, Inc	
	<u>1,638.54</u>
Total Fremont Industries, Inc	1,638.54
G&K Services	
	136.95
	323.35
	684.57
	<u>480.84</u>
Total G&K Services	1,625.71
Georgette Bloom	
	<u>157.07</u>
Total Georgette Bloom	157.07
Georgia Stage, LLC	
	<u>991.46</u>
Total Georgia Stage, LLC	991.46
GT Marketing Solutuions	
	<u>750.00</u>
Total GT Marketing Solutuions	750.00
Guardian Pest Solutions, Inc.	
	<u>223.72</u>
Total Guardian Pest Solutions, Inc.	223.72
Higgins Heating, INC	
	<u>1,325.00</u>
Total Higgins Heating, INC	1,325.00
Holmes Murphy	
	4,101.75
	115.00
	22.00
	115.00

VenuWorks of Bemidji, LLC
Unpaid Bills Detail
As of August 9, 2013

	<u>Open Balance</u>
	22.00
	2,380.08
	74.00
	13.00
	114.00
	<u>21.00</u>
Total Holmes Murphy	6,977.83
Johnson Brothers Liquor Co.	
	<u>546.74</u>
Total Johnson Brothers Liquor Co.	546.74
Marco	
	<u>27.00</u>
Total Marco	27.00
Midwest Meetings	
	<u>600.00</u>
Total Midwest Meetings	600.00
MSAE	
	<u>435.00</u>
Total MSAE	435.00
OfficeMax	
	-34.35
	-21.47
	<u>79.59</u>
Total OfficeMax	23.77
Otter Tail Power Company	
	<u>21,707.69</u>
Total Otter Tail Power Company	21,707.69
Paul Bunyan Communications	
	<u>2,524.67</u>
Total Paul Bunyan Communications	2,524.67
Phillips Wine & Spirits	
	<u>836.40</u>
Total Phillips Wine & Spirits	836.40
R&R Specialties of Wisconsin, Inc	

VenuWorks of Bemidji, LLC
Unpaid Bills Detail
As of August 9, 2013

	<u>Open Balance</u>
	901.96
Total R&R Specialties of Wisconsin, Inc	901.96
R.P Broadcasting, Inc.	
	169.93
Total R.P Broadcasting, Inc.	169.93
Sadek's Repair	
	105.00
Total Sadek's Repair	105.00
Sherwin-Williams	
	64.51
Total Sherwin-Williams	64.51
Sysco North Dakota, Inc.	
	312.87
	1,152.93
	1,106.01
	1,989.04
	1,883.78
	907.69
	692.55
	490.80
	609.06
Total Sysco North Dakota, Inc.	9,144.73
Tom Quinn	
	30.00
Total Tom Quinn	30.00
VenuWorks, Inc.	
	4,665.29
Total VenuWorks, Inc.	4,665.29
Waste Management	
	132.00
Total Waste Management	132.00
TOTAL	<u><u>63,187.89</u></u>



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
 444 Cedar Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555
APPLICATION AND PERMIT FOR A 1 DAY
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

Name of organization <i>Bemidji State University Foundation</i>		Date organized <i>1922</i>	Tax exempt number <i>23-7044156</i>	
Address <i>1500 Birchmont Drive NE #17</i>		City <i>Bemidji</i>	State <i>Minnesota</i>	Zip Code <i>56601</i>
Name of person making application <i>Robert Bollinger</i>		Business phone <i>218-755-4147</i>	Home phone <i></i>	
Date set ups will be sold <i>Sept 28, 2013</i>		Type of organization <input type="checkbox"/> Club <input checked="" type="checkbox"/> Charitable <input type="checkbox"/> Religious <input type="checkbox"/> Other non-profit		
Organization officer's name <i>X Jeff Kemink</i>		City <i>Bemidji</i>	State <i>Minnesota</i>	Zip <i>56601</i>
Add New Officer				

Location where permit will be used. If an outdoor area, describe.
American Indian Resource Center

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.
Keq N cork; Mitch Rautio - 51080 Cty 29, Bemidji, MN 56601

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.
No, But Keq N cork, Mitch Rautio will - Midwest Insurance

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

<i>BEM 11031</i>	
City/County <i># 120.00</i>	Date Approved
City Fee Amount <i>8.06.13</i>	Permit Date
Date Fee Paid	

Signature City Clerk or County Official

Approved Director Alcohol and Gambling Enforcement

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the permit for the event.

COUNCIL AGENDA ITEM



Meeting Date: August 19, 2013

Action Requested: Approve Transfer of Liquor License

Prepared By: Kay Murphy, City Clerk

Reviewed By: John M. Chattin, City Manager

Todd Bartels, Tbart Enterprises, Inc., has applied for transfer of the liquor license currently issued to and held by Chris Hunt, Classic Hardtimes Saloon, located at 119 3rd Street NW.

Under the City Code (Liquor License regulations), a change in ownership is considered to be a transfer of the liquor license and requires Council approval. The reason for this requirement is that it provides the Council an opportunity to review the eligibility of the new licensee and whether the change in ownership materially affects the integrity and character of the management of operation of the business in question.

Per City Code, all local taxes and City utilities must be current, and I have verified that to be the case. The transfer applicant has also provided proof of the liability insurance required to hold a license. Moreover, a background investigation of Mr. Bartels has been conducted by Police Chief Mastin and based thereon he is recommending approval of the liquor license transfer application.

Recommendation:

Based upon the application requirements being in order, including the positive background investigation results, staff recommends approval of the transfer of the liquor to Tbart Enterprises, Inc. dba Hot Toddy's at 119 3rd Street NW.

COUNCIL AGENDA ITEM



Meeting Date: August 19, 2013

Action Requested: Approve Memorandum of Understanding between the City and Local 49 AFL-CIO

Prepared By: Marcia Larson, Parks and Recreation Director *ml*

Reviewed By: John Chattin, City Manager

Background

A Memorandum of Understanding between the City and Local 49 AFL-CIO referencing staff scheduling at the Neilson Reise Arena is attached. The purpose of this Memorandum of Understanding (MOU) is to provide scheduling flexibility for the Arena in order to better meet the needs of the staff and the community.

The Neilson Reise Arena hours of operation are 7:00am to 11:00pm, Sunday through Saturday. The arena operates twelve months of the year. In May of this year, the full-time arena worker resigned after nineteen years with the city. The change in staff has presented an opportunity to review and update operating, maintenance, and staffing policies and procedures.

Not only is the facility open on weekends and evenings, many of the larger tournaments are held on weekends. Through providing a more flexible schedule, staff will be able to be on-site during larger events and provide better customer service.

In addition, the top candidate for the Arena Worker II position, is in their last semester of college and through providing flexibility in scheduling (shifts longer than 8 hours; weekends), the City will be able to hire the best candidate for the position.

Section 7.1 of the Union Contract states; the normal workday for an employee shall be eight (8) hours per day. The normal work day shall be forty (40) hours, Monday through Friday. The MOU will provide the flexibility to schedule the staff to meet the needs of both the City and staff.

The MOU will run concurrent with the current Union Contract and can be discussed at the time the contract is reviewed. The Local 49 Union has reviewed and is in support of the MOU.

Recommendation:

Approve the Memorandum of Understanding between the City of Bemidji and the International Union of Operating Engineers, Local 49 AFL-CIO.

**Memorandum of Understanding
between the City of Bemidji
and the International Union of Operating Engineers, Local 49 AFL-CIO**

The purpose of this Memorandum of Understanding (MOU) is to provide scheduling flexibility for the Arena in order to better meet the needs of the staff and the community.

The City of Bemidji and the International Union of Operating Engineers, Local 49 agree to the following amendment to the current Labor Agreement to be effective from August 19, 2013 to December 31, 2015.

7.3 **Arena Department Only:** All time worked in excess of the scheduled hours shall be compensated at time and one half pay. Article 7.1 does not apply to this Department; however the work week is Sunday through Saturday.

City of Bemidji

IUOE, Local 49

Rita Albrecht, Mayor

Glenn Johnson, Business Manager/Financial Secretary

(Date)

(Date)

John Chattin, City Manager

Todd Djonne, Business Representative

(Date)

(Date)

August 2, 2013

The Honorable Rita C. Albrecht
Mayor, City of Bemidji
317 4th Street NW
Bemidji, MN 56601

Dear Mayor Albrecht:

Thank you for agreeing to participate in Minnesota's 33rd Annual Statewide Historic Preservation Conference. As you know, this year's conference will be held in Lanesboro on Thursday and Friday, September 12 and 13, 2013. Conference activities on both days will take place at The Commonweal Theatre, 208 Parkway Avenue North, and the St. Mane Theatre, 206 Parkway Avenue North. We expect approximately 150 participants for this year's conference.

As discussed, we would like to confirm your participation in the session titled *How to Approach Local Officials* on Thursday, September 12 at 3:30 p.m. in the Commonweal Theatre.

The State Historic Preservation Office will provide you complimentary conference registration. Please take a look at the enclosed conference registration form and let me know what other events you will attend, so that we can have an accurate count for all events and meals.

The City of Lanesboro will provide an honorarium in the amount of \$150.00. Enclosed is an honorarium form, please include the information requested and return to the address listed. If you wish to receive your honorarium check at the conference you must return this form by August 31.

Lodging information is available at <http://www.mnhs.org/shpo/conference/info.htm>. You must call and book by phone and not online. Be sure to identify yourself as an attendee of the preservation conference. Rooms are limited and being held until August 15th.

We will need to know your AV needs, and if you will need any duplication services. Please note these on the registration form.

Our office will have Windows laptops at the conference. The Microsoft Office 2007 suite will be installed on the computers. Please bring your presentation on a flash drive.

We are not able to support Macintosh equipment. If you are planning on using a Macintosh you must bring your own computer. Also, if you are going to use one of our projectors, make sure that you bring the cabling and adapters necessary to connect the Macintosh to the projector.

Thanks again for participating in this year's conference. Please contact me at 651-259-3452, or michael.koop@mnhs.org if you have questions about the arrangements. We look forward to seeing you in September.

Sincerely,



Michael Koop
State Historic Preservation Office

Enclosures

COUNCIL AGENDA ITEM



Meeting Date: August 19, 2013

Action Requested: Award Energy Savings Program Contract

Prepared By: Ron Eischens, Finance Director *Ron*

Reviewed By: John Chattin, City Manager

At the April 22, 2013 work session Council directed staff to enter into a joint powers agreement with the Department of Commerce to participate in the State of Minnesota – Guaranteed Energy Savings Program (GESP), as referenced in Minnesota Statute 16C.144, to select a company to provide energy saving recommendations for City consideration.

City staff, including John Chattin, Craig Gray, Mike Miller and I worked with the Department of Commerce to issue the site-specific request for proposal for energy savings performance contracting services. We hosted a mandatory site visit for interested GESP pre-qualified energy service companies in July and toured several City owned buildings.

Proposals were received and scored by City and Department of Commerce Staff. Scoring was based on the following: 70% for management approach including staff qualifications, market experience, project references and project approach; 30% based on cost. The scoring results are summarized on the next page. Based on the average scores of the five evaluators, Honeywell earned the top score.

Awarding the contract commits the City to encumber approximately \$56,000 in funds to complete an investment grade audit and project proposal. This fee is paid to Honeywell to conduct a detailed analysis of various City owned buildings to determine current energy consumption as well as projected savings assuming energy reducing projects are completed. Once the audit is completed, Honeywell will work with City staff to prepare energy saving projects for Council approval.

If the City proceeds with recommendations outlined in the investment grade audit project proposal, it will execute a GESP Work Order amendment to implement the project, which enables the city to incorporate the cost of the investment grade audit into the overall project financing agreement.

Should the City decide not to complete any energy saving recommendations the \$56,000 audit cost must be paid for with City reserves.

In general, all costs to implement/construct energy saving projects would be paid for by reduced energy costs over a period of time.

Recommendation:

Award the “energy savings performance contracting services” to Honeywell and execute a GESP Work Order to perform the investment grade audit contractual services, as outlined in the State of Minnesota – Guaranteed Energy Savings Program. Authorize the City Manager and Mayor to execute and sign the GESP Work Order contract for services.

(name of State Institution)		Site-Specific RFP							4/19/13	Number of Evaluators
EVALUATION TEAM ROLLUP SCORE		Ameresco	ConEdison	CTS	Honeywell	McKinstry	Noresco	Trane		
1.0	EVALUATION SCORE W/O COST AND PRICING	53.2	44.2	43.6	59.8	47.2	48.6	36.2	5	
	Evaluator 1	65.0	49.0	42.0	68.0	50.0	48.0	41.0		
	Evaluator 2	40.0	33.0	38.0	53.0	38.0	40.0	27.0		
	Evaluator 3	53.0	36.0	38.0	50.0	50.0	44.0	40.0		
	Evaluator 4	48.0	48.0	49.0	63.0	46.0	54.0	40.0		
	Evaluator 5	60.0	55.0	51.0	65.0	52.0	57.0	33.0		
2.0	COST AND PRICING	23.3	25.3	20.7	24.4	22.5	20.6	17.5	5	
Calc	Design (% of Construction Costs)	4.5	3.1	3.1	5.0	3.6	4.5	2.1		
Calc	Project Management (% of Construction Costs)	4.1	3.8	3.8	4.5	4.0	5.0	2.8		
Calc	Overhead and Profit (% of Construction Costs)	9.4	10.0	7.5	10.0	9.4	6.0	6.0		
Calc	Investment Grade Audit Fee	2.1	5.0	3.1	1.7	2.8	1.7	4.2		
Eval	Measurement and Verification Fee	3.2	3.4	3.2	3.2	2.8	3.4	2.4		
	Evaluator 1	3.0	3.0	3.0	3.0	3.0	3.0	2.0		
	Evaluator 2	3.0	3.0	3.0	3.0	3.0	3.0	3.0		
	Evaluator 3	3.0	3.0	3.0	3.0	3.0	3.0	3.0		
	Evaluator 4	4.0	4.0	3.0	3.0	1.0	4.0	1.0		
	Evaluator 5	3.0	4.0	4.0	4.0	4.0	4.0	3.0		
	TOTAL	76.5	69.5	64.3	84.2	69.7	69.2	53.7		
3.0	OPTIONAL INTERVIEW OF TOP 3 SCORES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5	
	Evaluator 1									
	Evaluator 2									
	Evaluator 3									
	Evaluator 4									
	Evaluator 5									
	GRAND TOTAL	76.5	69.5	64.3	84.2	69.7	69.2	53.7		
	RANKING	2	4	6	1	3	5	7		
Comments:										
1	Based upon the scoring of the SSRFP proposals, the City of Bemidji team determined an oral interview process was not required.									
2	The City of Bemidji Evaluation team has chose to award the GESP project to Honeywell.									
3										
4										
5										
6										
7										
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9										
10										
11										